

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MARY FORBES

-V-

ORDER OF DISMISSAL
ADOPTING REPORT & RECOMMENDATION
CV 08-3188 (JS) (ETB)

NCO FINANCIAL SYSTEMS, INC.
MARGARET WILDE

-----X

APPEARANCES:

For plaintiff(s):
Edward Grossman, Esq.
135 W. Main St.
Smithtown NY 11787

For Defendant(s):
(None)

SEYBERT, DISTRICT JUDGE:

The above-captioned case was filed on Aug. 5, 2008, and has been under the pretrial supervision of Magistrate Judge E. Thomas Boyle.

As the plaintiff had never served the summons and complaint, Judge Boyle directed her to show cause why the action should not be dismissed (docket entry [6], June 4, 2009). There was no timely reply to this Order, so Judge Boyle issued a Report & Recommendation that the case be dismissed (docket entry [7], June 19, 2009).

There has been no objection to the Report & Recommendation, so it is adopted.

IT IS HEREBY ORDERED that this case be dismissed without prejudice for lack of prosecution, pursuant to Rules 4(m) and 41(b), Federal Rules of Civil Procedure.

SO ORDERED.

JS / JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: Central Islip, New York
July 28, 2009